

**Application  
Narrative  
Cash Transmittal  
Pre-Application  
Pre-App Narrative  
Pre-App Cash Transmittal  
Development Standards**

# Development Application



**Development Application Type:**  
Please check the appropriate box of the Type(s) of Application(s) you are requesting

Zoning	Development Review	Land Divisions
<input checked="" type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Subdivision (PP)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Subdivision (Minor) (MD)
<input checked="" type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Wash Modification (WM)	<input type="checkbox"/> Land Assemblage
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Historic Property (HP)	<b>Other</b>
<input type="checkbox"/> Development Agreement (DA)	<b>Wireless Communication Facilities</b>	<input type="checkbox"/> Annexation/De-annexation (AN)
<b>Exceptions to the Zoning Ordinance</b>	<input type="checkbox"/> Small Wireless Facilities (SW)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Minor Amendment (MN)	<input type="checkbox"/> Type 2 WCF DR Review Minor (SA)	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Hardship Exemption (HE)	<b>Signs</b>	<input type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance/Accommodation/Appeal (BA)	<input type="checkbox"/> Master Sign Program (MS)	<b>Other Application Type Not Listed</b>
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Community Sign District (MS)	<input type="checkbox"/> Other: _____

Project Name: Sunday Goods

Property's Address: 4255 N. Winfield Scott Plaza

Property's Current Zoning District Designation: C-2/P-3, DO

The property owner shall designate an agent/applicant for the Development Application. This person shall be the owner's contact for the City regarding this Development Application. The agent/applicant shall be responsible for communicating all City information to the owner and the owner application team.

Owner: Carter M. Crane	Agent/Applicant: George Pasquel III
Company:	Company: Withey Morris, PLC
Address: 3427 N. 47th Street, Phx 85019	Address: 2525 E AZ Biltmore Circle, Phx, AZ 85016
Phone: 602-315-0993 Fax:	Phone: 602.230.0600 Fax: N/A
E-mail: <u>Carter.Crane@hotmail.com</u>	E-mail: <u>George@WitheyMorris.com</u>
Designer:	Engineer:
Company: LGE Design Build	Company:
Address: 740 N. 52 Street Phx, AZ 85008	Address:
Phone: 480.966.4001 Fax: N/A	Phone: Fax:
E-mail: <u>Andrewg@lgedesignbuild.com</u>	E-mail:

Please indicate in the checkbox below the requested review methodology (please see the descriptions on page 2).

- This is not required for the following Development Application types: AN, AB, BA, II, GP, TA, PE and ZN. These applications<sup>1</sup> will be reviewed in a format similar to the Enhanced Application Review methodology.



**Enhanced Application Review:**

I hereby authorize the City of Scottsdale to review this application utilizing the Enhanced Application Review methodology.



**Standard Application Review:**

I hereby authorize the City of Scottsdale to review this application utilizing the Standard Application Review methodology.

 Owner Signature <u>CRANE FAMILY REVOCABLE TRUST</u>	 Agent/Applicant Signature <u>-WITHEY MORRIS PLC</u>
---	---

Official Use Only

Submittal Date:

Development Application No.:

## Planning and Development Services

7447 East Indian School Road Suite 105, Scottsdale, Arizona 85251 • www.ScottsdaleAZ.gov

Development Application

Page 1 of 3

Revision Date: 5/10/2018

**5-ZN-2019**  
**3/6/2019**





# City of Scottsdale Cash Transmittal

# 118792

118792  
3 01197184  
3/6/2019 PLN-1810P  
KWHEELER HP60062020  
3/6/2019 3:48 PM  
\$2,265.00

**Received From :**

TPI Capital, LLC  
7201 E CAMELBACK RD  
SCOTTSDALE, AZ 85251

**Bill To :**

George Pasquel III  
2525 East Arizona Biltmore Cir  
Phoenix, AZ 85016  
(602) 230-0600

**Reference #** 652-pa-2018  
**Address** 4255 N WINFIELD SCOTT PZ  
**Subdivision** WINFIELD SCOTT PLAZA UNIT TWO

**Marketing Name**  
**MCR** 067-41  
**APN** 173-51-072A

**Owner Information**  
CRANE CARTER M TR  
4255 N. Winfield Scott Plaza  
Scottsdale, AZ 85251  
(602) 230-0600

**Lot Number** 72  
**Metes/Bounds** No  
**Gross Lot Area** 0  
**NAOS Lot Area** 0  
**Net Lot Area** 0  
**Number of Units** 1  
**Density**

**Issued Date** 3/6/2019  
**Paid Date** 3/6/2019  
**Payment Type** CHECK  
**Cost Center**  
**Jurisdiction** SCOTTSDALE  
**Water Zone**  
**Water Type**  
**Sewer Type**  
**Meter Size**  
**QS** 17-45

Code	Description	Additional	Qty	Amount	Account Number
3170	REZONING APPLICATION		1	\$2,265.00	100-21300-44221

5-2N-2d9

SIGNED BY  GEORGE PASQUEL III ON 3/6/2019

Total Amount

\$2,265.00

(When a credit card is used as payment I agree to pay the above total amount according to the Card Issuer Agreement.)

3" and larger water meter fees are based on cost recovery. The city will contact the owner of the construction permit if additional funds are due. Payment will be due within 30 days notification.

TO HAVE WATER METER SET - CALL 480-312-5650 AND REFER TO TRANSMITTAL # 118792

# Request for Site Visits and/or Inspections

## Development Application (Case Submittals)



This request concerns all property identified in the development application.

Pre-application No: 652 -PA- 2018

Project Name: Sunday Goods

Project Address: 4225 N. Winfield Scott Plaza (APN No. 173-51-072A)

### STATEMENT OF AUTHORITY:

1. I am the owner of the property, or I am the duly and lawfully appointed agent of the property and have the authority from the owner to sign this request on the owner's behalf. If the land has more than one owner, then I am the agent for all owners, and the word "owner" refer to them all.
2. I have the authority from the owner to act for the owner before the City of Scottsdale regarding any and all development application regulatory or related matter of every description involving all property identified in the development application.

### STATEMENT OF REQUEST FOR SITE VISITS AND/OR INSPECTIONS

1. I hereby request that the City of Scottsdale's staff conduct site visits and/or inspections of the property identified in the development application in order to efficiently process the application.
2. I understand that even though I have requested the City of Scottsdale's staff conduct site visits and/or inspections, city staff may determine that a site visit and/or an inspection is not necessary, and may opt not to perform the site visit and/or an inspection.

Property owner/Property owner's agent: \_\_\_\_\_

GEORGE PASQUEL III - WINTER MORRIS, PLLC  
Print Name

[Signature]  
Signature

### City Use Only:

Submittal Date: \_\_\_\_\_ Case number: \_\_\_\_\_

### Planning and Development Services

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ [www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov)



# Request To Submit Concurrent Development Applications

## Acknowledgment and Agreement



The City of Scottsdale recognizes that a property owner may desire to submit concurrent development applications for separate purposes where one or more of the development applications are related to another development application. City Staff may agree to process concurrently where one or more the development applications related to the approval of another development application upon receipt of a complete form signed by the property owner.

Development Application Types		
Please check the appropriate box of the types of applications that you are requesting to submit concurrently		
<b>Zoning</b>	<b>Development Review</b>	<b>Signs</b>
<input type="checkbox"/> Text Amendment (TA)	<input type="checkbox"/> Development Review (Major) (DR)	<input type="checkbox"/> Master Sign Program (MS)
<input checked="" type="checkbox"/> Rezoning (ZN)	<input type="checkbox"/> Development Review (Minor) (SA)	<input type="checkbox"/> Community Sign District (MS)
<input type="checkbox"/> In-fill Incentive (II)	<input type="checkbox"/> Wash Modification (WM)	Other
<input checked="" type="checkbox"/> Conditional Use Permit (UP)	<input type="checkbox"/> Historic Property (HP)	<input type="checkbox"/> Annexation/De-annexation (AN)
Exemptions to the Zoning Ordinance	Land Divisions (PP)	<input type="checkbox"/> General Plan Amendment (GP)
<input type="checkbox"/> Hardship Exemption (HE)	<input type="checkbox"/> Subdivisions	<input type="checkbox"/> In-Lieu Parking (IP)
<input type="checkbox"/> Special Exception (SX)	<input type="checkbox"/> Condominium Conversion	<input type="checkbox"/> Abandonment (AB)
<input type="checkbox"/> Variance (BA)	<input type="checkbox"/> Perimeter Exceptions	Other Application Type Not Listed
<input type="checkbox"/> Minor Amendment (MA)	<input type="checkbox"/> Plat Correction/Revision	<input type="checkbox"/>

Owner: Carter M. Crane

Company: \_\_\_\_\_

Address: 3427 N. 47th Street, Phoenix AZ 85019

Phone: 602-315-0993

Fax: \_\_\_\_\_

E-mail: CarterCrane@hotmail.com

As the property owner, by providing my signature below, I acknowledge and agree: 1) that the concurrent development applications are processed at the property owner's risk; 2) to hold the City harmless of all cost, expense, claims, or other liability arising in connection with the concurrent development applications; 3) to the City of Scottsdale's Substantive Policy Statement pertaining to Concurrent Applications; 4) to placing a development application on hold in order to continue processing a concurrent development application that is related to an another development application; and 5) that upon completion of the City review(s) of the development applications, one or more of the development application(s) may not be approved.

Property owner (Print Name): CARTER M. CRANE TRUSTEE Title: TRUSTEE

Carter M. Crane, Trustee  
Signature

Date: 2/28/19

Official Use Only:

Submittal Date: \_\_\_\_\_

Request: ☐ Approved or ☐ Denied

Staff Name (Print): \_\_\_\_\_

Staff Signature: \_\_\_\_\_

Date: \_\_\_\_\_

### Planning and Development Services

7447 East Indian School Road Suite 105, Scottsdale, Arizona 85251 • [www.ScottsdaleAZ.gov](http://www.ScottsdaleAZ.gov)

Request to Submit Concurrent Development Applications

Page 1 of 1

Revision Date: 02/02/2015

**5-ZN-2019**  
**3/6/2019**



Rezoning Narrative  
4255 North Winfield Scott Plaza





---

1. INTRODUCTION

2. THE DEVELOPMENT PLAN

3. GENERAL PLAN CONFORMANCE

4. OLD TOWN CHARACTER AREA CONFORMANCE

5. COMMERCIAL OFFICE CONFORMANCE

6. DOWNTOWN OVERLAY CONFORMANCE

7. CONCLUSION



# **1. INTRODUCTION**

## **PROJECT VISION & GOAL**

The vision for this project is two-fold; provide a medical resource option currently lacking in the severely underserved Scottsdale South CHAA (Community Health Analysis Area), while using best-of-class design and industry expertise to create an upscale, comfortable retail-like experience befitting a Scottsdale address.

The growing use and success of medical marijuana as a viable alternative to conventional medicine is well-documented. Whether its life-changing treatments for epilepsy, multiple sclerosis or chronic pain, or more minor ailments such as anxiety, insomnia or nausea; more and more, medical marijuana is seen as one potential option in a person's overall wellness plan. The Applicant, Sunday Goods, believes this is the future – where medical marijuana is provided along-side traditional, non-THC products so the consumer has the full picture and options for their personal wellbeing. In fact, it is anticipated that less than 10% of the SKUs at Sunday Goods will include THC, the active ingredient medical marijuana. In many ways, Sunday Goods will function like the “center aisles” of a Whole Foods or Spouts store, where a variety of conventional and alternative remedies and products such as lotions, topicals and candles are available.

Other higher-end, peer cities to Scottsdale, have welcomed upscale dispensaries to their “main-and-main” downtown locations. This includes the likes of Aspen and Telluride in Colorado, Santa Barbara, Napa Valley and La Jolla, California and Seattle, Washington. These stores are seen as a welcomed, boutique retail option to complement the other assets of their community.

Not surprisingly, support for medical marijuana continues to grow. A recent public opinion poll by a nationally-recognized firm with deep experience in Scottsdale shows widespread support. 66% of Scottsdale voters said placing a medical marijuana facility in downtown Scottsdale (the location of this proposed facility) would be a good idea, while only 24% said it would not be. Those closest to the site supported it by a large margin, 69% to 21%. A majority of voters across Scottsdale, 57%, say the medical marijuana dispensaries currently operating in Scottsdale have done so responsibly, while only 7% say they have not. When Scottsdale voters were asked if Scottsdale was headed in the right direction or was on the wrong track, voters sided with “right direction” by 68% to 20% margin.

The State of Arizona has issued a license to Sunday Goods to locate a dispensary within the Southern Scottsdale CHAA. Through a variety of circumstances and restrictions (further detailed below) the location is in downtown Scottsdale, adjacent to the Galleria. The owners of the Galleria are not opposed to this proposal. The members of Sunday Goods have a vested interest in the success of downtown Scottsdale and have teamed up with the best minds in retail, architecture, design and marketing, to make this THE flagship model for high-end, holistic wellness stores – a truly one-of-a-kind, Scottsdale experience. Furthermore, in a downtown area well known for medical uses, most prominently HonorHealth, this would seem to be an appropriate fit.



## LOCATION

Sunday Goods will operate at 4255 North Winfield Scott Plaza near the intersection of 5th Avenue and Winfield Scott Plaza, Assessor's Parcel No.173-51-072A (the "Property"). The small site is currently occupied by a Tattoo Parlor, which provides little connection or benefits to the surrounding context. Because of State Restrictions and because of the strict City of Scottsdale ordinance restrictions on medical marijuana locations, this site is uniquely qualified for the proposed use – in fact, it may be the only viable site.

## REQUEST

The request is to rezone the Property from the Central Business / Parking, Downtown overlay (C-2/P-3, DO) to Commercial Office / Parking, Downtown Overlay (C-O/P-3, DO), with a concurrent conditional use permit application for a medical marijuana dispensary. The request is, in essence, a downzoning of the Property from the more intense C-2 designation to a less-intense C-O designation for a specific use permitted with a conditional use permit. While this may seem unusual, the site is ideally located for the proposed use and, more importantly, is the only viable location in the Scottsdale South CHAA. The existing General Plan designation (Mixed-Use Neighborhoods) will not be changed by this application.

## HISTORY & USE RESTRICTIONS

In 2012, the Arizona Department of Health Services (AZDHS) based location of medical marijuana dispensary licenses on previously established maps known as Community Health Analysis Areas (CHAA's). A total of seven (7) CHAA's touch Scottsdale, but five (5) of those CHAA's are located on the fringe of the City and controlled by Paradise Valley, Fountain Hills, Tempe or Maricopa County. For all intents and purposes, the other two (2) CHAA's (Scottsdale North and Scottsdale South) are the only CHAA's within the City of Scottsdale. These two (2) CHAA's cover the majority of the Scottsdale jurisdiction.

Two (2) licenses were originally issued for these CHAA's, one (1) in the North and one (1) in the South. Since that time, three other dispensaries have opened in the North, but the South has remained static with only one (1) dispensary. Even worse for the South, the existing dispensary is located at the very northernmost tip of the Scottsdale South CHAA, near Via De Ventura. No dispensaries exist in downtown and, in fact, no dispensaries exist from Via De Ventura, all the way south to Tempe.

In 2016, the City's medical marijuana ordinance was updated with increased setback requirements. The intent was to minimize the rush and congregation of applicants, as had been seen in the Scottsdale North CHAA. The unintended consequence was the virtual elimination of any meaningful opportunity for a new dispensary in the Scottsdale South CHAA. The result is the continued underserving of south Scottsdale residents. The Scottsdale South CHAA is so severely underserved, the AZDHS ranks it as one of the top-six most underserved CHAA's in the entire state.

In December 2013, the AZDHS reported 25,407 medical marijuana patients in Maricopa County. In December of 2018, according to the latest AZDHS report, there are 119,941 qualifying patients in



Maricopa County. This is an increase of nearly 500 percent. Despite this staggering growth, the Scottsdale South CHAA remains with only one (1) dispensary.

In 2017, the AZDHS held a second round of applications, which included the two (2) Scottsdale CHAAs. Sunday Goods was awarded the license for the Scottsdale South CHAA. Working with the City to identify a proper location that adhered to the City's ordinance setback requirements, the Applicant landed at the currently location.

## **THE APPLICANT**

Founded in 2014, Sunday Goods has earned a sterling reputation for all-natural quality and integrity of operations. The founders, under their operating company The Pharm, currently operate a cultivation greenhouse in Wilcox, Arizona. The Dutch glass greenhouse is one of the largest of its kind and includes nearly 7.5 acres of cultivation under one glass roof. The endeavor makes them one of the largest employers in Cochise County and a huge asset to that community through both business and charitable ventures.

We believe it was a stroke of good fortune for both the City and the Applicant that the Scottsdale South CHAA license was awarded by the State to Sunday Goods. Members of Sunday Goods have a long history in Scottsdale. They not only live in Scottsdale, they also have long-standing business and property interests in Scottsdale – including in downtown. In essence, they have a vested interest in the success of downtown Scottsdale and an inherent interest in making this project a success that all can be proud of.



## **2. DEVELOPMENT PLAN**

The proposed Sunday Goods dispensary will closely resemble a high-end retail experience that looks like something that might be found at Scottsdale Fashion Square or Scottsdale Quarter. The existing building will be preserved and adaptively reused to house the new, 2,300-sqft dispensary. The northern building (4301 N. Winfield), is also planned for improvements, as is the large City-owned right-of-way abutting 5th Avenue and Winfield Scott Plaza. Those improvements will occur under a separate Development Review application and are not a part of this rezoning application.

The Sunday Goods experience consists of best-in-class design for a comfortable, upscale and inviting retail-like setting. Along with patient-only dispensary areas, Sunday Goods also features a variety of non-THC products, accessories and information for a more holistic approach to personal wellbeing. The exterior design maintains the scale of the existing buildings while accentuates key architectural features – such as the large vertical wall which provides a focal point and visual separation from the northern building. The building consists of painted, smooth face masonry, EIFS, aluminum storefront glass, stucco canopies and steel accents.

The covered pedestrian colonnade and shade overhang are maintained and expanded to increase shade and improve the pedestrian experience. The streetscape and landscaping along the property perimeter will also be improved with decorative concrete and new plantings, furthering the pedestrian experience along the property frontage. Additionally, the existing above-ground utility lines along the east side of the Property will be buried with the development of this project. This is a substantial improvement and beautification over the existing conditions. Lastly, the project fully adheres to the City parking requirements through a combination of on-site spaces and parking credits. Nearby garages and street parking also exist.

As noted above, it is the long-term goal of the Applicant to also improve and activate the City-owned right-of-way located near the property along 5th Avenue Winfield Scott Plaza. This currently dormant and uninviting area would be improved and activated as a small pocket park, complete with new landscaping, seating areas and artwork. The space could potentially house food trucks or other vendors on special occasions.



### 3. GENERAL PLAN CONFORMANCE

The General Plan Conceptual Land Use Map designates the Property as Mixed-Use Neighborhood and as being within the Old Town Character Area Plan. Mixed-Use Neighborhoods are located in areas with strong access to multiple modes of transportation and major regional access and services and provide an opportunity for a mix of uses. The Old Town Plan provides more detailed direction for the development of the Property and is discussed further in Section 3 below; however, the General Plan does present several appropriate Goals and Approaches for the Property.

#### CHARACTER & DESIGN ELEMENT - GOALS AND APPROACHES

***CD No. 1 - Determine the appropriateness of all development in terms of community goals, surrounding area character, and the specific context of the surrounding neighborhood.***

- ***Respond to regional and citywide contexts with new and revitalized development in terms of:***
  - ***Scottsdale as a part of a large metropolitan area with a unique reputation, image, character and identity within its regional setting.***
  - ***Scottsdale as a southwestern desert community.***
  - ***Scottsdale as a part of a large metropolitan area with a unique reputation, image, character and identity within its regional setting.***
  - ***Relationships to surrounding land forms, land uses and transportation corridors.***
  - ***Contributions to city wide linkages of open space and activity zones.***
  - ***Consistently high community quality expectations.***
  - ***Physical scale relating to the human perception at different points of experience.***
  - ***Visual impacts (views, lighting, etc.) upon public settings and neighboring properties.***
  - ***Visual and accessibility connections and separations.***
  - ***Public buildings and facilities that demonstrate these concepts and “lead” by example.***
- o The proposal is in line with the surrounding area character and context of the surrounding neighborhood. The site is within an urban, downtown context complete with the variety of uses, scale and intensity as would be expected in heart of such a cosmopolitan City. Specifically, the surroundings include a diverse range of employment uses, street-level retail / restaurants, medical and other compatible uses. The project will blend seamlessly with this setting by re-using an existing building, but the final design will provide a vastly improves street presence, first-class architecture and greatly improved pedestrian experience and connections. This is all in keeping with the high-quality expectations the Scottsdale community desires. Future plans for the greater surroundings include activating the currently dormant City property and right-of-way adjacent to the Drinkwater with an activated public space complete with new landscaping, seating areas and artwork.
- ***Ensure that all development is a part of and contributes to the established or planned character of the area of the proposed location. Urban districts should have a pedestrian orientation with shade, activity nodes and small intimate developed open spaces that encourage interaction among people. Some examples of Urban Districts include: Old Town Scottsdale is a highly functional mixed-use center, containing areas of different densities and***



***architectural styles that emphasize regional and specialty retail, office and residential / hotel uses.***

- The proposal contributes to the established and planned character of the area. Old Town calls for a mix of uses and emphasis on specialty retail. While technically a medical use, the ground floor design and interaction with the public realm presents a more active and engaging presence than a typical medical use. The availability of a variety of non-THC products further encourages interaction. The offerings can be best described as the “center-aisles” of a Whole Foods, where a variety of personal products are available. Additional details on how this project complies with the Old Town Character Area are provided in the next section.

***CD No. 5 – Build upon the significant role the arts have played in shaping our community’s image and lifestyle by maximizing the potential of public art to enrich the daily lives of people that live in or visit Scottsdale.***

- ***Express Scottsdale’s unique heritage, culture, and environment through private and public art.***
- ***Use art as a catalyst to foster civic pride and identity in both public and private improvements. Include art as an integral part of public infrastructure design, including but not limited to civic buildings, streetscapes, parks, and civil structures (i.e. bridges, water reservoirs, drainage structures, etc.).***
- ***Encourage private participation in public art through the donation of artwork to the city and the placement of artwork on private property that can be publicly viewed.***
- Public artwork is not required as a part of this application, however it is in many ways at the heart of the overall plan for the property and beyond. Currently the City has right-of-way adjacent to the subject site which is dormant and purposefully uninviting. As seen on exhibits provided, the Applicant would like to beautify and activate this area, turning it into a pocket park-like setting complete with artwork installations. Although these improvements would occur under a separate process / application, it is important to note the overall context and improvements envisioned for this corner which all spring from this application.

***CD No. 7 - Encourage sensitive outdoor lighting that reflects the needs and character of different parts of the city.***

- ***Establish lighting standards that relate to the ambient lighting designations contained within the 2000 I.E.S. standards revisions.***
- ***Encourage lighting designs that minimize glare and lighting intrusions into neighborhood settings.***
- ***Encourage creative and high-quality designs for outdoor lighting fixtures and standards that reflect the character of the local context.***
- Lighting is specifically designed to comply with City standards as relates to the ambient lighting designations contained within the 2000 I.E.S. standards revisions. Photometrics and cutsheets have been provided with this application.



## LAND USE ELEMENT - GOALS AND APPROACHES

***LU No. 4 - Maintain a balance of land uses that support a high quality of life, a diverse mixture of housing and leisure opportunities and the economic base needed to secure resources to support the community.***

- ***Allow for a diversity of residential uses and supporting services that provide for the needs of the community.***
- This goal is at the heart of this application. Medical marijuana is a supporting service that is clearly lacking for residents in the area. Only one (1) dispensary exists in the Scottsdale South CHAA and it is located at the northernmost tip of the CHAA, near Via De Ventura. The increase in urban living in downtown and the top-ten underserved CHAA ranking by the Arizona Department of Health Services only further highlights the severe lack of this medical resource. This application will, once and for all, resolve this challenge for southern Scottsdale.

***LU No. 5 – Development land use patterns that are compatible with and support a variety of mobility opportunities / choices and service provisions.***

- ***Integrate the pattern of land uses and mobility systems in ways that allow for shorter and fewer automobile trips and greater choices for mobility.***
- ***Provide a balance of live, work, and play land uses and development intensities that enable convenient non-automotive trips where environmentally and physically feasible.***
- ***Ensure that basic levels of environmental health and human services are provided for all socio-economic levels within the community.***
- As noted above, southern Scottsdale patients are highly undeserved for this medical resource. Currently, cardholder patients in Scottsdale must travel to the northernmost tip of the CHAA, or further for access to. By placing this use at a convenient downtown location, where employment and residential population continues to grow, patients will now have shorter commute times and/or non-automotive options for accessing the medicine and resources they desire.

***LU No. 9 – Provide a broad variety of land uses that create a high level of synergy within mixed-use neighborhoods.***

- ***Incorporate a diverse range of residential and non-residential uses and densities within mixed-use neighborhoods.***
- ***Encourage redevelopment that invigorates an area while also respecting the character of adjacent neighborhoods.***
- ***Encourage compact mixed-use, pedestrian oriented development patterns, at urban densities, that limit the demand for parking and unnecessary automobile trips and support alternative modes of mobility.***
- The project will further add to the diverse range of non-residential uses desired for this mixed-use area by providing a service currently not located anywhere near the location. The re-use of the existing building ensures a compatible project in-line with the immediate character of the block, and the high-level design and reinvestment will help to further



invigorate the area with a quality, needed use. As previously noted, placing this use in an urban locale with higher employment and residential density is good land use planning which provides patients with shorter commute times and/or non-automotive options to utilize.

#### ECONOMIC VITALITY GOALS & APPROACHES

***No. 2 - Encourage and maintain a high level of diverse, quality retail and entertainment activity in Scottsdale that supports the needs of Scottsdale's residents and visitors.***

- ***Encourage the location of new, high quality, regionally oriented retail activities in Scottsdale. New retail activity should focus on unique and diverse retail adventures.***
  - ***Encourage the concentration of retail and entertainment in Old Town and the historic specialty retail and art gallery districts.***
- The project represents a new and unique service in a retail-like setting within Old Town. Locals and visitors may shop among the accessory products, while cardholders can access patient-only areas.

#### GROWTH AREA GOALS & APPROACHES

***No. 1 - Direct and sustain growth and expansion in areas of the city that can support a concentration of a variety of uses and are particularly suitable for multimodal transportation and infrastructure expansion and improvements.***

- ***Promote the coordination of infrastructure development and upgrade with opportunities for infill development and development activity where it will encourage a mix of uses and support pedestrian and transit activity.***
- With the development of this project, the Applicant will also bear the burden of undergrounding existing utility lines located within the alley. This is a substantial improvement and beautification over the existing conditions and a recognized infrastructure upgrade with an infill development.



## **4. OLD TOWN CHARACTER AREA CONFORMANCE**

The project is located within the Old Town Character Area Plan, which further designates the Property as a Downtown Multiple Use Type-2. The property is also located within the Brown & Stetson district, which is described as a “...mixed-use district includes various hotels, restaurants, bars and personal services for visitors, residents and workers.” The proposed use fits perfectly with this request by providing personal services currently lacking in the area. The project is in conformance with numerous provisions of the Character Area plan, including some standards outlined below:

### **LAND USE GOALS AND POLICIES (LU)**

#### **LU No. 1 - MAINTAIN OLD TOWN SCOTTSDALE AS THE COMMERCIAL, CULTURAL, CIVIC, AND SYMBOLIC CENTER OF THE COMMUNITY.**

- ***Maintain Old Town as a year-round, seven days a week, 18-hour Mixed-Use Neighborhood that supports the needs of Scottsdale’s residents, businesses and visitors.***
- The project is perfectly aligned with this land use policy. The proposal provides another daytime use in an area primarily known for nighttime activities – helping foster the 18-hour mix of uses desired. Furthermore, the request supports the needs of Scottsdale residents, businesses and visitors. As previously outlined, southern Scottsdale is severely underserved with regards to this medical resource.

#### **LU No. 6 - ENCOURAGE A MIX OF LAND USES TO SUPPORT A WALKABLE AND SUSTAINABLE DOWNTOWN.**

- ***Encourage development to provide a mix of uses and active street frontages, particularly in the Downtown Core, along Scottsdale Road, adjacent to primary open space areas and within the more active Old Town districts. For development in peripheral areas such as the Garden District, the Scottsdale Arts District and portions of the Fifth Avenue District west of Goldwater Boulevard, and the Civic Center and Brown and Stetson Districts east of 75th Street that may not be able to support a mix of uses with active frontages, encourage features that create visual interest at the pedestrian level.***
- ***Encourage development to make use of existing urban resources such as infrastructure systems, under-utilized sites, buildings, and transportation networks.***
- ***Support interconnected, pedestrian oriented Old Town districts that are comprised of a balanced mix of activities and land uses within optimal walking distance (approximately one-quarter mile).***
- The site is currently occupied by a Tattoo Parlor with little connection to the surrounding context. The design of the renovated building creates much greater visual interest at the pedestrian level as well as a visual connection from the streetscape to the inside of the building. The covered canopy is also maintained for pedestrian comfort. The larger plan for the area is to activate the City-owned right-of-way fronting 5th Avenue and Winfield Scott Plaza. This is a highly under-utilized site which could be turned into an urban resource.



## CHARACTER & DESIGN GOALS AND POLICIES (CD)

### **CD No. 1 - STRENGTHEN AND ENHANCE OLD TOWN DISTRICT CHARACTER WITH CONTEXTUALLY COMPATIBLE DEVELOPMENT.**

- *Incorporate the distinctive qualities and character of the surrounding, and/or evolving district context into building and site design.*
  - *Maintain the pedestrian oriented small-town character and human scale in the Downtown Core. Incorporate similar elements of pedestrian character and scale at the street level in all downtown districts.*
- The project proposed to reuse an existing building, maintaining the existing character and scale of the area. No additional height, density or other potentially out-of-character standards are being sought. The redesign incorporates some of the distinctive qualities of the existing buildings and context, while updating to provide a more inviting and modern design model. The human scale of the project is maintained with street level visual connection to the inside of the building, shaded overhangs and covered pathways.

### **CD No. 4 - CREATE A DYNAMIC AND CONNECTED WALKABLE DOWNTOWN THROUGH URBAN AND ARCHITECTURAL DESIGN.**

- *Encourage urban and architectural design that is human scale and provides pedestrian comfort.*
  - *Retain and expand the tradition of covered walkways in Historic Old Town. Encourage the use of covered walkways, cantilevered awnings, and tree canopies in all other districts.*
- As previously noted, the adaptive reuse of the existing building improves upon the human scale and pedestrian comfort elements. This includes maintain the cantilevered awning and the covered walkway which wraps the northern building as well.

### **CD No. 5 - ESTABLISH AN INVITING AND INTERCONNECTED DOWNTOWN PUBLIC REALM AND OPEN SPACE NETWORK THAT IS USEFUL, SAFE, INTERESTING, WALKABLE, AND COMFORTABLE TO ALL.**

- *Provide high-quality, multi-functional open space areas within Old Town that include central gathering places, a series of smaller, intimate spaces, as well as active and passive recreational use opportunities.*
  - *Private and public development should contribute to the creation of new, and/or the expansion of existing, public realm and open space areas throughout Old Town.*
  - *Improve, expand, or create new public realm and open space areas that can be enhanced by art and interactive opportunities, such as pocket art parks and temporary art trails.*
- Again, the larger project goal is to activate the City-owned right-of-way abutting 5th Avenue and Winfield Scott Plaza. This would occur under separate application, but the area would be improved into a pocket park-like area and function as a more intimate open space as well as be activated on occasion for more festive activities. The envisioned improvements include landscaping, seating and artwork.



**CD No. 8 - INTEGRALLY DESIGN LIGHTING INTO THE BUILT ENVIRONMENT.**

- *Achieve a balance between ambient light levels and designated lighting needs to ensure safe lighting levels while reducing light pollution and glare.*
  - *Use lighting to provide a safe and inviting nighttime environment for residents, businesses, visitors, and nighttime special events and activities.*
- The proposed lighting will provide safe, comfortable and inviting lighting levels along the streetscape area fronting the building. A photometric plan and cut sheets have been provided with this application.

**CD No. 11 - INFRASTRUCTURE DESIGN SHOULD POSITIVELY CONTRIBUTE TO OLD TOWN IDENTITY.**

- *Underground overhead utilities, when physically and economically feasible, to reduce the negative visual impacts in the downtown.*
- Again, the proposal perfectly aligns with this stated goal. With the development of this project, the Applicant will underground the existing, above-ground utility running adjacent to the Property. This will vastly improve the existing condition and benefit the public.

**ECONOMIC VITALITY (EV)**

**EV No. 1 - SUPPORT OLD TOWN'S PROMINENT ECONOMIC ROLE AS A HUB FOR ARTS, CULTURE, RETAILING, DINING, ENTERTAINMENT, TOURISM, EVENTS, AND EMPLOYMENT.**

- *Appeal to residents, visitors, and workers by creating and delivering programs and services that support a high quality, year-round, successful mix of retail, dining, entertainment, emerging enterprises, and small businesses that contribute to Old Town's unique character.*
- High-quality retail and service design with a successful mix of uses draws residents and visitors alike. One only need look at famous streets like Rodeo Drive in Los Angeles, State Street in Santa Barbara, and Newbury Street in Boston. Sunday Goods provides a retail-like, service experience and need currently lacking in the downtown area. The high-level design with further attract attention and contribute to the unique character of Old Town.

**EV No. 2 - PROMOTE PRIVATE INVESTMENT IN, AND ATTRACT NEW DEVELOPMENT TO, OLD TOWN.**

- *Encourage investment in residential and commercial development that ensures Old Town's economic competitiveness regionally and nationally.*
  - *Promote a mix of daytime/nighttime activities year-round through residential and commercial development in Old Town.*
  - *Attract and retain a broad array of economic activities that widen the appeal of Old Town and strengthen the city's tax base.*
- Medical marijuana is one of the fastest growing industries in the America – THE fastest according to some reports. Including a dispensary in Old Town not only enhances the mix of



daytime/nighttime uses in the area, it also enables the City to further strengthen its tax base with a growing product.

## **5. COMMERCIAL OFFICE CONFORMANCE**

As noted in Ordinance Section 5.2201, the purpose of the Commercial Office (C-O) district is *"to provide an environment desirable for and conducive to development of office and related uses adjacent to commercial areas. In addition, some specified uses are permitted...which promote their compatibility with office and residential uses."* The proposal is aligned with this stated purpose. Sunday Goodwill will provide a compatible development adjacent to commercial areas. The requested use is permitted in the C-O district with the acquisition of a conditional use permit. Such a request will run concurrent with this application. The existing building is being preserved and improved and conforms to applicable development standards of the C-O district or as otherwise permitted by the Downtown Overlay.

## **6. DOWNTOWN OVERLAY CONFORMANCE**

As noted in Ordinance Section 6.1201, the purpose of the Downtown Overlay (DO) district is to *"...provide increased intensities to revitalize Downtown Area properties"* as well as to stimulate sustainable live/work lifestyles within a vital urban environment. To provide an effective live/work balance, the services desired by those who reside and work in the urban environment must be met. Currently, this area of Scottsdale is highly neglected, ranked by the State as a top-six underserved CHAA in the state. This forces patients to leave the area and drive outside of the downtown area to obtain the information and services they desire. Additionally, the proposal reflects a renovated building and new use to further aid in the revitalization of Downtown.

## **7. CONCLUSION**

As outlined in this narrative and as seen in the application exhibits, the proposal meets and exceeds numerous stated goals of the General Plan, the Old Town Character Area Plan, and the applicable zoning and overlay districts. The project presents the opportunity to finally provide a service for the long-underserved south Scottsdale area. The assembled team is intent on creating a flagship model for high-end, holistic wellness store and a truly unique, Scottsdale experience.

**Thank you**







Rezoning Narrative  
4255 North Winfield Scott Plaza



---

1. INTRODUCTION

2. THE DEVELOPMENT PLAN

3. GENERAL PLAN CONFORMANCE

4. OLD TOWN CHARACTER AREA CONFORMANCE

5. COMMERCIAL OFFICE CONFORMANCE

6. DOWNTOWN OVERLAY CONFORMANCE

7. CONCLUSION



# **1. INTRODUCTION**

## **PROJECT VISION & GOAL**

The vision for this project is two-fold; provide a medical resource option currently lacking in the severely underserved Scottsdale South CHAA (Community Health Analysis Area), while using best-of-class design and industry expertise to create an upscale, comfortable retail-like experience befitting a Scottsdale address.

The growing use and success of medical marijuana as a viable alternative to conventional medicine is well-documented. Whether its life-changing treatments for epilepsy, multiple sclerosis or chronic pain, or more minor ailments such as anxiety, insomnia or nausea; more and more, medical marijuana is seen as one potential option in a person's overall wellness plan. The Applicant, Sunday Goods, believes this is the future – where medical marijuana is provided along-side traditional, non-THC products so the consumer has the full picture and options for their personal wellbeing. In fact, it is anticipated that less than 10% of the SKUs at Sunday Goods will include THC, the active ingredient medical marijuana. In many ways, Sunday Goods will function like the “center aisles” of a Whole Foods or Spouts store, where a variety of conventional and alternative remedies and products such as lotions, topicals and candles are available.

Other higher-end, peer cities to Scottsdale, have welcomed upscale dispensaries to their “main-and-main” downtown locations. This includes the likes of Aspen and Telluride in Colorado, Santa Barbara, Napa Valley and La Jolla, California and Seattle, Washington. These stores are seen as a welcomed, boutique retail option to complement the other assets of their community.

Not surprisingly, support for medical marijuana continues to grow. A recent public opinion poll by a nationally recognized firm with deep experience in Scottsdale shows widespread support. 66% of Scottsdale voters said placing a medical marijuana facility in downtown Scottsdale (the location of this proposed facility) would be a good idea, while only 24% said it would not be. Those closest to the site supported it by a large margin, 69% to 21%. A majority of voters across Scottsdale, 57%, say the medical marijuana dispensaries currently operating in Scottsdale have done so responsibly, while only 7% say they have not. When Scottsdale voters were asked if Scottsdale was headed in the right direction or was on the wrong track, voters sided with “right direction” by 68% to 20% margin.

The State of Arizona has issued a license to Sunday Goods to locate a dispensary within the Southern Scottsdale CHAA. Through a variety of circumstances and restrictions (further detailed below) the location is in downtown Scottsdale, adjacent to the Galleria. The owners of the Galleria are not opposed to this proposal. The members of Sunday Goods have a vested interest in the success of downtown Scottsdale and have teamed up with the best minds in retail, architecture, design and marketing, to make this THE flagship model for high-end, holistic wellness stores – a truly one-of-a-kind, Scottsdale experience. Furthermore, in a downtown area well known for medical uses, most prominently HonorHealth, this would seem to be an appropriate fit.



## **LOCATION**

Sunday Goods will operate at 4255 North Winfield Scott Plaza near the intersection of 5th Avenue and Winfield Scott Plaza, Assessor's Parcel No.173-51-072A (the "Property"). The small site is currently occupied by a Tattoo Parlor, which provides little connection or benefits to the surrounding context. Because of State Restrictions and because of the strict City of Scottsdale ordinance restrictions on medical marijuana locations, this site is uniquely qualified for the proposed use – in fact, it may be the only viable site.

## **REQUEST**

The request is to rezone a portion of the Property from the Central Business / Parking, Downtown overlay (C-2/P-3, DO) to Commercial Office, Downtown Overlay (C-O, DO), with a concurrent conditional use permit application for a medical marijuana dispensary. The eastern portion of the Property along the alleyway will remain P-2, DO. The request is, in essence, a downzoning of the Property from the more intense C-2 designation to a less-intense C-O designation for a specific use permitted with a conditional use permit. While this may seem unusual, the site is ideally located for the proposed use and, more importantly, is the only viable location in the Scottsdale South CHAA. The existing General Plan designation (Mixed-Use Neighborhoods) will not be changed by this application.

## **HISTORY & USE RESTRICTIONS**

In 2012, the Arizona Department of Health Services (AZDHS) based location of medical marijuana dispensary licenses on previously established maps know as Community Health Analysis Areas (CHAA's). A total of seven (7) CHAA's touch Scottsdale, but five (5) of those CHAA's are located on the fringe of the City and controlled by Paradise Valley, Fountain Hills, Tempe or Maricopa County. For all intents and purposes, the other two (2) CHAA's (Scottsdale North and Scottsdale South) are the only CHAA's within the City of Scottsdale. These two (2) CHAA's cover the majority of the Scottsdale jurisdiction.

Two (2) licenses were originally issues for these CHAA's, one (1) in the North and one (1) in the South. Since that time, three other dispensaries have opened in the North, but the South has remained static with only one (1) dispensary. Even worse for the South, the existing dispensary is located at the very northernmost tip of the Scottsdale South CHAA, near Via De Ventura. No dispensaries exist in downtown and, in fact, no dispensaries exist from Via De Ventura, all the way south to Tempe.

In 2016, the City's medical marijuana ordinance was updated with increased setback requirements. The intent was to minimize the rush and congregation of applicants, as had been seen in the Scottsdale North CHAA. The unintended consequence was the virtual elimination of any meaningful opportunity for a new dispensary in the Scottsdale South CHAA. The result is the continued underserving of south Scottsdale residents. The Scottsdale South CHAA is so severely underserved, the AZDHS ranks it as one of the top-six most underserved CHAA's in the entire state.

In December 2013, the AZDHS reported 25,407 medical marijuana patients in Maricopa County. In December of 2018, according to the latest AZDHS report, there are 119,941 qualifying patients in



Maricopa County. This is an increase of nearly 500 percent. Despite this staggering growth, the Scottsdale South CHAA remains with only one (1) dispensary.

In 2017, the AZDHS held a second round of applications, which included the two (2) Scottsdale CHAAs. Sunday Goods was awarded the license for the Scottsdale South CHAA. Working with the City to identify a proper location that adhered to the City's ordinance setback requirements, the Applicant landed at the currently location.

## **THE APPLICANT**

Founded in 2014, Sunday Goods has earned a sterling reputation for all-natural quality and integrity of operations. The founders, under their operating company The Pharm, currently operate a cultivation greenhouse in Wilcox, Arizona. The Dutch glass greenhouse is one of the largest of its kind and includes nearly 7.5 acres of cultivation under one glass roof. The endeavor makes them one of the largest employers in Cochise County and a huge asset to that community through both business and charitable ventures.

We believe it was a stroke of good fortune for both the City and the Applicant that the Scottsdale South CHAA license was awarded by the State to Sunday Goods. Members of Sunday Goods have a long history in Scottsdale. They not only live in Scottsdale, they also have long-standing business and property interests in Scottsdale – including in downtown. In essence, they have a vested interest in the success of downtown Scottsdale and an inherent interest in making this project a success that all can be proud of.

## **2. DEVELOPMENT PLAN**

The proposed Sunday Goods dispensary will closely resemble a high-end retail experience that looks like something that might be found at Scottsdale Fashion Square or Scottsdale Quarter. The existing building will be preserved and adaptively reused to house the new, 2,300-sqft dispensary. The northern building (4301 N. Winfield), is also planned for improvements, as is the large City-owned right-of-way abutting 5th Avenue and Winfield Scott Plaza. Those improvements will occur under a separate Development Review application and are not a part of this rezoning application.

The Sunday Goods experience consists of best-in-class design for a comfortable, upscale and inviting retail-like setting. Along with patient-only dispensary areas, Sunday Goods also features a variety of non-THC products, accessories and information for a more holistic approach to personal wellbeing. The exterior design maintains the scale of the existing buildings while accentuates key architectural features – such as the large vertical wall which provides a focal point and visual separation from the northern building. The building consists of painted, smooth face masonry, EIFS, aluminum storefront glass, stucco canopies and steel accents.

The covered pedestrian colonnade and shade overhang are maintained and expanded to increase shade and improve the pedestrian experience. The streetscape and landscaping along the property perimeter will also be improved with decorative concrete and new plantings, furthering the pedestrian experience along the property frontage. Additionally, the existing above-ground utility lines along the east side of the Property will be buried with the development of this project. This is a substantial improvement and beautification over the existing conditions. Lastly, the project fully adheres to the City parking requirements through a combination of on-site spaces and off-site and/or in-lieu parking agreements. Nearby public and private garages and street parking also exist.

As noted above, it is the long-term goal of the Applicant to also improve and activate the City-owned right-of-way located near the property along 5th Avenue Winfield Scott Plaza. This currently dormant and uninviting area would be improved and activated as a small pocket park, complete with new landscaping, seating areas and artwork. The space could potentially house food trucks or other vendors on special occasions.

### **Small Parcel Development**

The Downtown (D) district of the zoning ordinance provides special consideration for new development and redevelopment of small parcels (less than 20,000 sqft) within the downtown area (Ordinance Section 5.3007). Specifically, the Development Review Board and City Council may alter setback and setbacks where appropriate for projects which otherwise conform to the Downtown Plan and Downtown Plan Urban Design and Architectural Guidelines. The existing site, at only 4,800 sqft, qualifies for these considerations and requests approval of a reduced setback condition.

The site has several unique characteristics which make the reduced setback request both practical and necessary. The prevailing setback along this section of Winfield Scott Plaza is 29 ft. This is abnormally large for an urban location and especially so along a row of small, 1 and 2-story commercial buildings. The reason for this giant prevailing setback is obvious when viewing an aerial of the site. The curb at



the intersection of Winfield Scott Plaza and 5th Avenue bulges out to create a vast area of “dead” space which skews the prevailing setback requirement. Additionally, this project is a remodel of an existing building – it is not a new build. In designing this project, the team has attempted to both retain and build off of the original character of the building. This includes embracing how the building sits on the site – pulled close to the adjacent sidewalk. Pushing the building back would make an already small building on a small site even less practical. As such, the Applicant is requesting setback reduction of:

- Ordinance Section 5.3006.I.7 enables a prevailing setback not less than 16 ft. 13 ft is requested.
- Ordinance Section 5.3006F.1.b.ii. requires 25% of the building frontage to be setback and additional 10ft. 0% is requested.

### 3. GENERAL PLAN CONFORMANCE

The General Plan Conceptual Land Use Map designates the Property as Mixed-Use Neighborhood and as being within the Old Town Character Area Plan. Mixed-Use Neighborhoods are located in areas with strong access to multiple modes of transportation and major regional access and services and provide an opportunity for a mix of uses. The Old Town Plan provides more detailed direction for the development of the Property and is discussed further in Section 3 below; however, the General Plan does present several appropriate Goals and Approaches for the Property.

#### CHARACTER & DESIGN ELEMENT - GOALS AND APPROACHES

***CD No. 1 - Determine the appropriateness of all development in terms of community goals, surrounding area character, and the specific context of the surrounding neighborhood.***

- ***Respond to regional and citywide contexts with new and revitalized development in terms of:***
  - ***Scottsdale as a part of a large metropolitan area with a unique reputation, image, character and identity within its regional setting.***
  - ***Scottsdale as a southwestern desert community.***
  - ***Scottsdale as a part of a large metropolitan area with a unique reputation, image, character and identity within its regional setting.***
  - ***Relationships to surrounding land forms, land uses and transportation corridors.***
  - ***Contributions to city wide linkages of open space and activity zones.***
  - ***Consistently high community quality expectations.***
  - ***Physical scale relating to the human perception at different points of experience.***
  - ***Visual impacts (views, lighting, etc.) upon public settings and neighboring properties.***
  - ***Visual and accessibility connections and separations.***
  - ***Public buildings and facilities that demonstrate these concepts and “lead” by example.***
- o The proposal is in line with the surrounding area character and context of the surrounding neighborhood. The site is within an urban, downtown context complete with the variety of uses, scale and intensity as would be expected in heart of such a cosmopolitan City. Specifically, the surroundings include a diverse range of employment uses, street-level retail / restaurants, medical and other compatible uses. The project will blend seamlessly with this setting by re-using an existing building, but the final design will provide a vastly improves street presence, first-class architecture and greatly improved pedestrian experience and connections. This is all in keeping with the high-quality expectations the Scottsdale community desires. Future plans for the greater surroundings include activating the currently dormant City property and right-of-way adjacent to the Drinkwater with an activated public space complete with new landscaping, seating areas and artwork.
- ***Ensure that all development is a part of and contributes to the established or planned character of the area of the proposed location. Urban districts should have a pedestrian orientation with shade, activity nodes and small intimate developed open spaces that encourage interaction among people. Some examples of Urban Districts include: Old Town Scottsdale is a highly functional mixed-use center, containing areas of different densities and***



*architectural styles that emphasize regional and specialty retail, office and residential / hotel uses.*

- o The proposal contributes to the established and planned character of the area. Old Town calls for a mix of uses and emphasis on specialty retail. While technically a medical use, the ground floor design and interaction with the public realm presents a more active and engaging presence than a typical medical use. The availability of a variety of non-THC products further encourages interaction. The offerings can be best described as the “center-aisles” of a Whole Foods, where a variety of personal products are available. Additional details on how this project complies with the Old Town Character Area are provided in the next section.

***CD No. 5 – Build upon the significant role the arts have played in shaping our community’s image and lifestyle by maximizing the potential of public art to enrich the daily lives of people that live in or visit Scottsdale.***

- *Express Scottsdale’s unique heritage, culture, and environment through private and public art.*
  - *Use art as a catalyst to foster civic pride and identity in both public and private improvements. Include art as an integral part of public infrastructure design, including but not limited to civic buildings, streetscapes, parks, and civil structures (i.e. bridges, water reservoirs, drainage structures, etc.).*
  - *Encourage private participation in public art through the donation of artwork to the city and the placement of artwork on private property that can be publicly viewed.*
- o Public artwork is not required as a part of this application, however it is in many ways at the heart of the overall plan for the property and beyond. Currently the City has right-of-way adjacent to the subject site which is dormant and purposefully uninviting. As seen on exhibits provided, the Applicant would like to beautify and activate this area, turning it into a pocket park-like setting complete with artwork installations. Although these improvements would occur under a separate process / application, it is important to note the overall context and improvements envisioned for this corner which all spring from this application.

***CD No. 7 - Encourage sensitive outdoor lighting that reflects the needs and character of different parts of the city.***

- *Establish lighting standards that relate to the ambient lighting designations contained within the 2000 I.E.S. standards revisions.*
  - *Encourage lighting designs that minimize glare and lighting intrusions into neighborhood settings.*
  - *Encourage creative and high-quality designs for outdoor lighting fixtures and standards that reflect the character of the local context.*
- o Lighting is specifically designed to comply with City standards as relates to the ambient lighting designations contained within the 2000 I.E.S. standards revisions. Photometrics and cutsheets have been provided with this application.

## LAND USE ELEMENT - GOALS AND APPROACHES

***LU No. 4 - Maintain a balance of land uses that support a high quality of life, a diverse mixture of housing and leisure opportunities and the economic base needed to secure resources to support the community.***

- ***Allow for a diversity of residential uses and supporting services that provide for the needs of the community.***
- This goal is at the heart of this application. Medical marijuana is a supporting service that is clearly lacking for residents in the area. Only one (1) dispensary exists in the Scottsdale South CHAA and it is located at the northernmost tip of the CHAA, near Via De Ventura. The increase in urban living in downtown and the top-ten underserved CHAA ranking by the Arizona Department of Health Services only further highlights the severe lack of this medical resource. This application will, once and for all, resolve this challenge for southern Scottsdale.

***LU No. 5 – Development land use patterns that are compatible with and support a variety of mobility opportunities / choices and service provisions.***

- ***Integrate the pattern of land uses and mobility systems in ways that allow for shorter and fewer automobile trips and greater choices for mobility.***
- ***Provide a balance of live, work, and play land uses and development intensities that enable convenient non-automotive trips where environmentally and physically feasible.***
- ***Ensure that basic levels of environmental health and human services are provided for all socio-economic levels within the community.***
- As noted above, southern Scottsdale patients are highly undeserved for this medical resource. Currently, cardholder patients in Scottsdale must travel to the northernmost tip of the CHAA, or further for access to. By placing this use at a convenient downtown location, where employment and residential population continues to grow, patients will now have shorter commute times and/or non-automotive options for accessing the medicine and resources they desire.

***LU No. 9 – Provide a broad variety of land uses that create a high level of synergy within mixed-use neighborhoods.***

- ***Incorporate a diverse range of residential and non-residential uses and densities within mixed-use neighborhoods.***
- ***Encourage redevelopment that invigorates an area while also respecting the character of adjacent neighborhoods.***
- ***Encourage compact mixed-use, pedestrian oriented development patterns, at urban densities, that limit the demand for parking and unnecessary automobile trips and support alternative modes of mobility.***
- The project will further add to the diverse range of non-residential uses desired for this mixed-use area by providing a service currently not located anywhere near the location. The re-use of the existing building ensures a compatible project in-line with the immediate character of the block, and the high-level design and reinvestment will help to further



invigorate the area with a quality, needed use. As previously noted, placing this use in an urban locale with higher employment and residential density is good land use planning which provides patients with shorter commute times and/or non-automotive options to utilize.

#### ECONOMIC VITALITY GOALS & APPROACHES

***No. 2 - Encourage and maintain a high level of diverse, quality retail and entertainment activity in Scottsdale that supports the needs of Scottsdale's residents and visitors.***

- ***Encourage the location of new, high quality, regionally oriented retail activities in Scottsdale. New retail activity should focus on unique and diverse retail adventures.***
  - ***Encourage the concentration of retail and entertainment in Old Town and the historic specialty retail and art gallery districts.***
- The project represents a new and unique service in a retail-like setting within Old Town. Locals and visitors may shop among the accessory products, while cardholders can access patient-only areas.

#### GROWTH AREA GOALS & APPROACHES

***No. 1 - Direct and sustain growth and expansion in areas of the city that can support a concentration of a variety of uses and are particularly suitable for multimodal transportation and infrastructure expansion and improvements.***

- ***Promote the coordination of infrastructure development and upgrade with opportunities for infill development and development activity where it will encourage a mix of uses and support pedestrian and transit activity.***
- With the development of this project, the Applicant will also bear the burden of undergrounding existing utility lines located within the alley. This is a substantial improvement and beautification over the existing conditions and a recognized infrastructure upgrade with an infill development.

## **4. OLD TOWN CHARACTER AREA CONFORMANCE**

The project is located within the Old Town Character Area Plan, which further designates the Property as a Downtown Multiple Use Type-2. The property is also located within the Brown & Stetson district, which is described as a “...mixed-use district includes various hotels, restaurants, bars and personal services for visitors, residents and workers.” The proposed use fits perfectly with this request by providing personal services currently lacking in the area. The project is in conformance with numerous provisions of the Character Area plan, including some standards outlined below:

### **LAND USE GOALS AND POLICIES (LU)**

#### ***LU No. 1 - MAINTAIN OLD TOWN SCOTTSDALE AS THE COMMERCIAL, CULTURAL, CIVIC, AND SYMBOLIC CENTER OF THE COMMUNITY.***

- *Maintain Old Town as a year-round, seven days a week, 18-hour Mixed-Use Neighborhood that supports the needs of Scottsdale’s residents, businesses and visitors.*
- The project is perfectly aligned with this land use policy. The proposal provides another daytime use in an area primarily known for nighttime activities – helping foster the 18-hour mix of uses desired. Furthermore, the request supports the needs of Scottsdale residents, businesses and visitors. As previously outlined, southern Scottsdale is severely underserved with regards to this medical resource.

#### ***LU No. 6 - ENCOURAGE A MIX OF LAND USES TO SUPPORT A WALKABLE AND SUSTAINABLE DOWNTOWN.***

- *Encourage development to provide a mix of uses and active street frontages, particularly in the Downtown Core, along Scottsdale Road, adjacent to primary open space areas and within the more active Old Town districts. For development in peripheral areas such as the Garden District, the Scottsdale Arts District and portions of the Fifth Avenue District west of Goldwater Boulevard, and the Civic Center and Brown and Stetson Districts east of 75th Street that may not be able to support a mix of uses with active frontages, encourage features that create visual interest at the pedestrian level.*
- *Encourage development to make use of existing urban resources such as infrastructure systems, under-utilized sites, buildings, and transportation networks.*
- *Support interconnected, pedestrian oriented Old Town districts that are comprised of a balanced mix of activities and land uses within optimal walking distance (approximately one-quarter mile).*
- The site is currently occupied by a Tattoo Parlor with little connection to the surrounding context. The design of the renovated building creates much greater visual interest at the pedestrian level as well as a visual connection from the streetscape to the inside of the building. The covered canopy is also maintained for pedestrian comfort. The larger plan for the area is to activate the City-owned right-of-way fronting 5th Avenue and Winfield Scott Plaza. This is a highly under-utilized site which could be turned into an urban resource.



## CHARACTER & DESIGN GOALS AND POLICIES (CD)

### **CD No. 1 - STRENGTHEN AND ENHANCE OLD TOWN DISTRICT CHARACTER WITH CONTEXTUALLY COMPATIBLE DEVELOPMENT.**

- *Incorporate the distinctive qualities and character of the surrounding, and/or evolving district context into building and site design.*
  - *Maintain the pedestrian oriented small-town character and human scale in the Downtown Core. Incorporate similar elements of pedestrian character and scale at the street level in all downtown districts.*
- The project proposed to reuse an existing building, maintaining the existing character and scale of the area. No additional height, density or other potentially out-of-character standards are being sought. The redesign incorporates some of the distinctive qualities of the existing buildings and context, while updating to provide a more inviting and modern design model. The human scale of the project is maintained with street level visual connection to the inside of the building, shaded overhangs and covered pathways.

### **CD No. 4 - CREATE A DYNAMIC AND CONNECTED WALKABLE DOWNTOWN THROUGH URBAN AND ARCHITECTURAL DESIGN.**

- *Encourage urban and architectural design that is human scale and provides pedestrian comfort.*
  - *Retain and expand the tradition of covered walkways in Historic Old Town. Encourage the use of covered walkways, cantilevered awnings, and tree canopies in all other districts.*
- As previously noted, the adaptive reuse of the existing building improves upon the human scale and pedestrian comfort elements. This includes maintain the cantilevered awning and the covered walkway which wraps the northern building as well.

### **CD No. 5 - ESTABLISH AN INVITING AND INTERCONNECTED DOWNTOWN PUBLIC REALM AND OPEN SPACE NETWORK THAT IS USEFUL, SAFE, INTERESTING, WALKABLE, AND COMFORTABLE TO ALL.**

- *Provide high-quality, multi-functional open space areas within Old Town that include central gathering places, a series of smaller, intimate spaces, as well as active and passive recreational use opportunities.*
  - *Private and public development should contribute to the creation of new, and/or the expansion of existing, public realm and open space areas throughout Old Town.*
  - *Improve, expand, or create new public realm and open space areas that can be enhanced by art and interactive opportunities, such as pocket art parks and temporary art trails.*
- Again, the larger project goal is to activate the City-owned right-of-way abutting 5th Avenue and Winfield Scott Plaza. This would occur under separate application, but the area would be improved into a pocket park-like area and function as a more intimate open space as well as be activated on occasion for more festive activities. The envisioned improvements include landscaping, seating and artwork.

**CD No. 8 - INTEGRALLY DESIGN LIGHTING INTO THE BUILT ENVIRONMENT.**

- *Achieve a balance between ambient light levels and designated lighting needs to ensure safe lighting levels while reducing light pollution and glare.*
- *Use lighting to provide a safe and inviting nighttime environment for residents, businesses, visitors, and nighttime special events and activities.*
- The proposed lighting will provide safe, comfortable and inviting lighting levels along the streetscape area fronting the building. A photometric plan and cut sheets have been provided with this application.

**CD No. 11 - INFRASTRUCTURE DESIGN SHOULD POSITIVELY CONTRIBUTE TO OLD TOWN IDENTITY.**

- *Underground overhead utilities, when physically and economically feasible, to reduce the negative visual impacts in the downtown.*
- Again, the proposal perfectly aligns with this stated goal. With the development of this project, the Applicant will underground the existing, above-ground utility running adjacent to the Property. This will vastly improve the existing condition and benefit the public.

**ECONOMIC VITALITY (EV)**

**EV No. 1 - SUPPORT OLD TOWN'S PROMINENT ECONOMIC ROLE AS A HUB FOR ARTS, CULTURE, RETAILING, DINING, ENTERTAINMENT, TOURISM, EVENTS, AND EMPLOYMENT.**

- *Appeal to residents, visitors, and workers by creating and delivering programs and services that support a high quality, year-round, successful mix of retail, dining, entertainment, emerging enterprises, and small businesses that contribute to Old Town's unique character.*
- High-quality retail and service design with a successful mix of uses draws residents and visitors alike. One only need look at famous streets like Rodeo Drive in Los Angeles, State Street in Santa Barbara, and Newbury Street in Boston. Sunday Goods provides a retail-like, service experience and need currently lacking in the downtown area. The high-level design with further attract attention and contribute to the unique character of Old Town.

**EV No. 2 - PROMOTE PRIVATE INVESTMENT IN, AND ATTRACT NEW DEVELOPMENT TO, OLD TOWN.**

- *Encourage investment in residential and commercial development that ensures Old Town's economic competitiveness regionally and nationally.*
- *Promote a mix of daytime/nighttime activities year-round through residential and commercial development in Old Town.*
- *Attract and retain a broad array of economic activities that widen the appeal of Old Town and strengthen the city's tax base.*
- Medical marijuana is one of the fastest growing industries in the America – THE fastest according to some reports. Including a dispensary in Old Town not only enhances the mix of



daytime/nighttime uses in the area, it also enables the City to further strengthen its tax base with a growing product.

## **5. COMMERCIAL OFFICE CONFORMANCE**

As noted in Ordinance Section 5.2201, the purpose of the Commercial Office (C-O) district is *"to provide an environment desirable for and conducive to development of office and related uses adjacent to commercial areas. In addition, some specified uses are permitted...which promote their compatibility with office and residential uses."* The proposal is aligned with this stated purpose. Sunday Goodwill will provide a compatible development adjacent to commercial areas. The requested use is permitted in the C-O district with the acquisition of a conditional use permit. Such a request will run concurrent with this application. The existing building is being preserved and improved and conforms to applicable development standards of the C-O district or as otherwise permitted by the Downtown Overlay.

## **6. DOWNTOWN OVERLAY CONFORMANCE**

As noted in Ordinance Section 6.1201, the purpose of the Downtown Overlay (DO) district is to *"...provide increased intensities to revitalize Downtown Area properties"* as well as to stimulate sustainable live/work lifestyles within a vital urban environment. To provide an effective live/work balance, the services desired by those who reside and work in the urban environment must be met. Currently, this area of Scottsdale is highly neglected, ranked by the State as a top-six underserved CHAA in the state. This forces patients to leave the area and drive outside of the downtown area to obtain the information and services they desire. Additionally, the proposal reflects a renovated building and new use to further aid in the revitalization of Downtown.

## **7. CONCLUSION**

As outlined in this narrative and as seen in the application exhibits, the proposal meets and exceeds numerous stated goals of the General Plan, the Old Town Character Area Plan, and the applicable zoning and overlay districts. The project presents the opportunity to finally provide a service for the long-underserved south Scottsdale area. The assembled team is intent on creating a flagship model for high-end, holistic wellness store and a truly unique, Scottsdale experience.

**Thank you**